

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**ASSATA ACEY**

**Plaintiff,**

**v.**

**INDUCTEV**

**Defendant.**

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**Civ. No. 23-1438**

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**ORDER**

On August 23, 2024, Defendant filed a Motion for Summary Judgment in which it argued, *inter alia*, that Summary Judgment is appropriate because “Plaintiff agreed to release her claims against Defendant and resign in exchange for \$50,000.” (Doc. No. 131 at 27.) I will construe this portion of Defendant’s Motion as a Motion to enforce the Parties’ agreement. Plaintiff apparently disputes the existence of an enforceable agreement. (Doc. No. 141 at 2.) Accordingly, I shall hold an evidentiary hearing on Defendant’s Motion. See Saudi Basic Inds. v. Exxon Corp., 364 F.3d 106, 113 (3d Cir. 2004) (“Where material facts concerning the existence or terms of an agreement to settle are in dispute, the parties must be allowed an evidentiary hearing.”).

**AND NOW**, this 22nd day of October, 2024, it is hereby **ORDERED** that:

1. The Final Pretrial Conference scheduled for November 13, 2024, is  
**CANCELLED.**
2. The Court shall **CONDUCT** an evidentiary hearing at **11 a.m.** on

**November 13, 2024**, in **Courtroom 14A**, in the United States District Court, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania, 19106, to determine whether the Parties reached a settlement agreement.

3. The Parties shall **PRESENT** evidence as to the existence and enforceability of a settlement in this matter; and
4. The Court expects to hear, *inter alia*, from the mediators who conducted the September 19, 2022 mediation at which the Parties reached the claimed agreement.

**AND IT IS SO ORDERED.**

/s/ Paul S. Diamond  
Paul S. Diamond, J.